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MEMORANDUM RECEIVED

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2006 SEP 25 P 2:40

TO: Docket Control
Arizona Corporation Commission

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Arizona Corporation Commission

DOCKETED

FROM: Ernest G. Johnson
Director
Utilities Division

SEP 25 2006

Date: September 25, 2006

DOCKETED BY	nr
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RE: JOHNSON UTILITIES, L.L.C.: COMPLIANCE WITH DECISION NO.
68235 (DOCKET NO. WS-02987A-05-0088)

On September 19, 2006, Johnson Utilities, L.L.C. ("Johnson") filed a letter with the Arizona Corporation Commission ("ACC" or "Commission") requesting for an extension of time to file the Unified (Aquifer Protection) Water Quality Permit for the Copper Basin Wastewater Treatment Facility.

Background

On October 25, 2005, the Commission issued Decision No. 68235 approving Johnson's application for extension of its wastewater and water Certificates of Convenience and Necessity ("CC&N") to an area in Pinal County, Arizona, subject to certain conditions. The conditions include among other things that Johnson "must file with Docket Control, as a compliance item in this docket, the Unified (Aquifer Protection) Water Quality Permits issued by ADEQ for the Copper Basin Wastewater Regional Treatment Facility within 365 days of the decision in this case." In Decision No. 68237, that was also issued on October 25, 2005, the Commission also ordered Johnson to file the **same** Unified (Aquifer Protection) Water Quality Permits for the **same** Copper Basin Wastewater Regional Treatment Facility within 24 months of the effective date of decision.

By this letter, Johnson is requesting an extension of the compliance date from 365 days to 24 months from the date of Decision No. 68235 to file the Unified (Aquifer Protection) Water Quality Permit for the Copper Basin Wastewater Regional Treatment Facility.

Analysis

Staff is aware that the Copper Basin Wastewater Regional Treatment Facility is under construction and that it takes up to a year for Arizona Department of Environmental Quality to review and issue an Aquifer Protection Permit once a permit

application is submitted. According to Johnson's letter, it "took ADEQ over a year to review and issue the permit" for Johnson's Anthem Wastewater Treatment Facility. Based on that time frame, Johnson expects to receive the permit for the Copper Basin Wastewater Regional Treatment Facility sometime after May 2007, since the application was submitted to ADEQ on May 4, 2006.

Staff has no objection to Johnson being granted an extension of time, to file the Unified (Aquifer Protection) Water Quality Permit for the Copper Basin Wastewater Regional Treatment Facility. Staff would recommend a 24 month extension from the date of the decision. Extending the due date would allow Johnson the same amount of time in Decision Nos. 68235 and 68237 to comply with the Commission Order.

Recommendations

Staff recommends that an extension of the compliance date from 365 days to 24 months from the date of Decision No. 68235 be granted to Johnson to file the Unified (Aquifer Protection) Water Quality Permit for the Copper Basin Wastewater Regional Treatment Facility.

EGJ:BNC

Originators: Blessing Chukwu

Chukwu

JOHNSON UTILITIES, L.L.C

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September 19, 2006

2006 SEP 19 P 3:29

Mr. Ernest Johnson
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

AZ CORP COMMISSION
DOCUMENT CONTROL

RE: Johnson Utilities, L.L.C.: Compliance with Decision No. 68235
ACC Docket No. WS-02987A-05-0088
RE: Unified (Aquifer Protection) Water Quality Permit for the Copper Basin Wastewater Treatment Facility

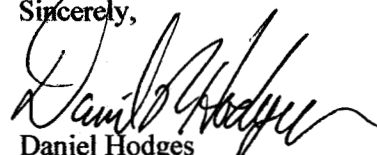
Dear Mr. Johnson:

Pursuant to the above mentioned decision, Johnson Utilities hereby requests for an extension of time to file the Unified (Aquifer Protection) Water Quality Permit for the Copper Basin Wastewater Treatment Facility that is currently due within 365 days from the date of the Decision. After the commission issued the Decision on this matter we proceeded with the preparations of the permit applications and submitted them to ADEQ May 4, 2006. Our most recent water quality permit ADEQ issued to us for the Anthem Wastewater Treatment Facility in June of this year took ADEQ over a year to review and issue the permit. Based on that time frame we expect to receive the permit sometime after May, 2007.

This same compliance item was given in Decision #68237. In this Decision we are required to file the permit within 24 months from the date of the Decision. We hereby request an extension of the compliance date from 365 days to 24 months from the date of the Decision to file the Unified (Aquifer Protection Permit) Water Quality Permit for the Copper Basin Wastewater Treatment Facility. This would allow us the same amount of time in both Decisions to comply with the Commissions wishes.

If you need any additional information in regards to this compliance item, please do not hesitate to contact me. Thank you for your time and consideration in this matter.

Sincerely,



Daniel Hodges
Johnson Utilities, LLC

Cc: Docket Control, (15 copies)
Judge Dwight Nodes, Hearing
Mr. Brian Bozzo, Compliance
Mr. Richard Sallquist, Sallquist, Drummond & O'Connor

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SEP 19 2006

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Director Utilities